

Faxed to 703-872-9306 on 10/29/2004

Docket No. BOESJES5

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Boesjes et al  
Filed: 06/26/2001  
App. No.: 09/893,293  
For: Systems and methods for acquisition,  
evaluation, inventory, distribution,  
and/or re-sale of pre-owned recorded  
data products

Art Unit: 3627  
Examiner: Joseph A Fischetti

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OCT 29 2004

**ELECTION UNDER 37 CFR §1.142  
PRELIMINARY AMENDMENT UNDER 37 CFR §1.115**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

10/29/2004

Sir:

In response to the requirement for restriction date 06/29/2004, Applicants hereby make their election, as set forth hereinbelow. Please amend the above-named application as set forth hereinbelow. The amendments are presented in accordance with the Revised Amendment Practice set forth in 37 CFR § 1.121 effective 07/30/2003.

**Amendments to the Claims** are reflected in the listing of Claims which begins on page 2 of this paper.

**Remarks** begin on page 5 of this paper.

A shortened statutory period for reply expired 07/29/2004. Accordingly, this submission is timely filed with a petition for a three-month extension of time and the required petition fee submitted herewith.